

to assist individuals with limited English proficiency to access and understand State court proceedings in which they are a party.

(2) **TECHNICAL ASSISTANCE.**—The Administrator shall allocate, for each fiscal year, \$500,000 of the amount appropriated pursuant to section 4 to be used to establish a court interpreter technical assistance program to assist State courts receiving grants under this Act.

(b) **USE OF GRANTS.**—Grants awarded under subsection (a) may be used by State courts to—

- (1) assess regional language demands;
- (2) develop a court interpreter program for the State courts;
- (3) develop, institute, and administer language certification examinations;
- (4) recruit, train, and certify qualified court interpreters;
- (5) pay for salaries, transportation, and technology necessary to implement the court interpreter program developed under paragraph (2); and
- (6) engage in other related activities, as prescribed by the Attorney General.

(c) **APPLICATION.**—

(1) **IN GENERAL.**—The highest State court of each State desiring a grant under this section shall submit an application to the Administrator at such time, in such manner, and accompanied by such information as the Administrator may reasonably require.

(2) **STATE COURTS.**—The highest State court of each State submitting an application under paragraph (1) shall include in the application—

(A) a demonstration of need for the development, implementation, or expansion of a State court interpreter program;

(B) an identification of each State court in that State which would receive funds from the grant;

(C) the amount of funds each State court identified under subparagraph (B) would receive from the grant; and

(D) the procedures the highest State court would use to directly distribute grant funds to State courts identified under subparagraph (B).

(d) **STATE COURT ALLOTMENTS.**—

(1) **BASE ALLOTMENT.**—From amounts appropriated for each fiscal year pursuant to section 4, the Administrator shall allocate \$100,000 to each of the highest State court of each State, which has an application approved under subsection (c).

(2) **DISCRETIONARY ALLOTMENT.**—From amounts appropriated for each fiscal year pursuant to section 4, the Administrator shall allocate \$5,000,000 to be distributed among the highest State courts of States which have an application approved under subsection (c), and that have extraordinary needs that are required to be addressed in order to develop, implement, or expand a State court interpreter program.

(3) **ADDITIONAL ALLOTMENT.**—In addition to the allocations made under paragraphs (1) and (2), the Administrator shall allocate to each of the highest State court of each State, which has an application approved under subsection (c), an amount equal to the product reached by multiplying—

(A) the unallocated balance of the amount appropriated for each fiscal year pursuant to section 4; and

(B) the ratio between the number of people over 5 years of age who speak a language other than English at home in the State and the number of people over 5 years of age who speak a language other than English at home in all the States that receive an allocation under paragraph (1), as those numbers are determined by the Bureau of the Census.

(4) **TREATMENT OF DISTRICT OF COLUMBIA.**—For purposes of this section—

(A) the District of Columbia shall be treated as a State; and

(B) the District of Columbia Court of Appeals shall act as the highest State court for the District of Columbia.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$15,000,000 for each of the fiscal years 2010 through 2014 to carry out this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 200—DESIGNATING SEPTEMBER 12, 2009, AS “NATIONAL CHILDHOOD CANCER AWARENESS DAY”

Mr. UDALL of Colorado (for himself and Mr. ISAKSON) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 200

Whereas childhood cancer is the leading cause of death by disease for children in the United States;

Whereas an estimated 12,500 children in this Nation are diagnosed with cancer each year;

Whereas an estimated 2,300 children in this Nation lose their lives to cancer each year;

Whereas the results of peer-reviewed clinical trials have raised the standard of care and improved the 5-year cancer survival rate in children to greater than 80 percent overall;

Whereas more than 40,000 children and adolescents in the United States currently are being treated for childhood cancers;

Whereas up to 2/3 of childhood cancer survivors are likely to experience at least one life-altering or life-threatening late effect from treatment; and

Whereas childhood cancer occurs regularly and randomly and spares no racial or ethnic group, socioeconomic class, or geographic region: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 12, 2009, as “National Childhood Cancer Awareness Day”;

(2) requests that the Federal Government, States, localities, and nonprofit organizations observe the day with appropriate programs and activities, with the goal of increasing public knowledge of the risks of cancer;

(3) recognizes the profound toll a diagnosis of cancer has on children, families, and communities and pledges to make its prevention and cure a public health priority; and

(4) urges public and private sector efforts to promote awareness, invest in research, and improve treatments for childhood cancer.

SENATE RESOLUTION 201—RECOGNIZING AND HONORING THE TENTH ANNIVERSARY OF THE UNITED STATES SUPREME COURT DECISION IN *OLMSTEAD V. L.C.*, 527 U.S. 581 (1999)

Mr. HARKIN (for himself and Mr. KENNEDY) submitted the following resolution; which was considered and agreed to:

S. RES. 201

Whereas in the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) (referred to in this preamble as the “ADA”), Congress found that the isolation and segregation of individuals with disabilities is a serious and pervasive form of discrimination;

Whereas the ADA provides the guarantees of equality of opportunity, economic self-sufficiency, full participation, and independent living for individuals with disabilities;

Whereas on June 22, 1999, the United States Supreme Court in *Olmstead v. L.C.*, 527 U.S. 581 (1999), held that under the ADA, States must offer qualified individuals with disabilities the choice to receive their long-term services and support in a community-based setting;

Whereas the Supreme Court further recognized in *Olmstead v. L.C.* that “institutional placement of persons who can handle and benefit from community settings perpetuates unwarranted assumptions that persons so isolated are incapable or unworthy of participating in community life” and that “confinement in an institution severely diminishes the everyday life activities of individuals, including family relations, social contacts, work options, economic independence, educational advancement, and cultural enrichment.”;

Whereas June 22, 2009, marks the tenth anniversary of the *Olmstead v. L.C.* decision;

Whereas, as a result of the Supreme Court decision in *Olmstead v. L.C.*, many individuals with disabilities have been able to live in home and community-based settings, rather than institutional settings, and to become productive members of the community;

Whereas despite this success, community-based services and supports remain unavailable for many individuals with significant disabilities;

Whereas eligible families of children with disabilities, working-age adults with disabilities, and older individuals with disabilities should be able to make a choice between entering an institution or receiving long-term services and supports in the most integrated setting appropriate to the individual’s needs; and

Whereas families of children with disabilities, working-age adults with disabilities, and older individuals with disabilities should retain the greatest possible control over the services received and, therefore, their own lives and futures, including quality services that maximize independence in the home and community: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and honors the tenth anniversary of the Supreme Court decision in *Olmstead v. L.C.*;

(2) salutes all people whose efforts have contributed to the expansion of home and community-based long-term services and supports for individuals with disabilities; and

(3) encourages all people of the United States to recognize the importance of ensuring that home and community-based services are equally available to all qualified individuals with significant disabilities who choose to remain in their home and community.

SENATE CONCURRENT RESOLUTION 30—COMMENDING THE BUREAU OF LABOR STATISTICS ON THE OCCASION OF ITS 125TH ANNIVERSARY

Mr. SCHUMER (for himself, Mr. BROWNBACK, and Mrs. MURRAY) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 30

Whereas the Act entitled “An Act to establish a Bureau of Labor”, approved on June 27, 1884 (23 Stat. 60), established a bureau to “collect information upon the subject of labor, its relation to capital, the hours of

labor, and the earnings of laboring men and women, and the means of promoting their material, social, intellectual, and moral prosperity”;

Whereas the Bureau of Labor Statistics is the principal factfinding agency for the Federal Government in the broad field of labor economics and statistics, and in that role it collects, processes, analyzes, and disseminates essential statistical data to the public, Congress, other Federal agencies, State and local governments, business, and labor;

Whereas the Bureau of Labor Statistics has completed 125 years of service to government, business, labor, and the public by producing indispensable data and special studies on prices, employment and unemployment, productivity, wages and other compensation, economic growth, industrial relations, occupational safety and health, the use of time by the people of the United States, and the economic conditions of States and metropolitan areas;

Whereas many public programs and private transactions are dependent today on the quality of such statistics of the Bureau of Labor Statistics as the unemployment rate and the Consumer Price Index, which play essential roles in the allocation of Federal funds and the adjustment of pensions, welfare payments, private contracts, and other payments to offset the impact of inflation;

Whereas the Bureau of Labor Statistics pursues these responsibilities with absolute integrity and is known for being unfailingly responsive to the need for new types of information and indexes of change;

Whereas the Bureau of Labor Statistics has earned an international reputation as a leader in economic and social statistics;

Whereas the Bureau of Labor Statistics' Internet website, www.bls.gov, began operating in 1995 and meets the public need for timely and accurate information by providing an ever-expanding body of economic data and analysis available to an ever-growing group of online citizens; and

Whereas the Bureau of Labor Statistics has established the highest standards of professional competence and commitment: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress commends the Bureau of Labor Statistics on the occasion of its 125th anniversary for the exemplary service its administrators and employees provide in collecting and disseminating vital information for the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1364. Mr. REID (for Mr. KENNEDY (for himself and Mr. ENZI)) proposed an amendment to the bill H.R. 1777, to make technical corrections to the Higher Education Act of 1965, and for other purposes.

TEXT OF AMENDMENTS

SA 1364. Mr. REID (for Mr. KENNEDY (for himself and Mr. ENZI)) proposed an amendment to the bill H.R. 1777, to make technical corrections to the Higher Education Act of 1965, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Table of contents.
- Sec. 2. References.
- Sec. 3. Effective date.

TITLE I—GENERAL PROVISIONS

Sec. 101. General provisions.

TITLE II—TEACHER QUALITY ENHANCEMENT

Sec. 201. Teacher quality enhancement.

TITLE III—INSTITUTIONAL AID

Sec. 301. Institutional aid.

Sec. 302. Multiagency study of minority science programs.

TITLE IV—STUDENT ASSISTANCE

Sec. 401. Grants to students in attendance at institutions of higher education.

Sec. 402. Federal Family Education Loan Program.

Sec. 403. Federal work-study programs.

Sec. 404. Federal Direct Loan Program.

Sec. 405. Federal Perkins Loans.

Sec. 406. Need analysis.

Sec. 407. General provisions of title IV.

Sec. 408. Program integrity.

Sec. 409. Waiver of master calendar and negotiated rulemaking requirements.

TITLE V—DEVELOPING INSTITUTIONS

Sec. 501. Developing institutions.

TITLE VI—INTERNATIONAL EDUCATION PROGRAMS

Sec. 601. International education programs.

TITLE VII—GRADUATE AND POSTSECONDARY IMPROVEMENT

Sec. 701. Graduate and postsecondary improvement programs.

TITLE VIII—ADDITIONAL PROGRAMS

Sec. 801. Additional programs.

Sec. 802. Amendments to other higher education Acts.

SEC. 2. REFERENCES.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

SEC. 3. EFFECTIVE DATE.

Except as otherwise provided in this Act, the amendments made by this Act shall take effect as if enacted on the date of enactment of the Higher Education Opportunity Act (Public Law 110-315).

TITLE I—GENERAL PROVISIONS

SEC. 101. GENERAL PROVISIONS.

(a) HIGHER EDUCATION OPPORTUNITY ACT.—(1) GENERAL DEFINITION OF INSTITUTION OF HIGHER EDUCATION.—Section 101(b) of the Higher Education Opportunity Act (Public Law 110-315) is amended by striking “July 1, 2010” and inserting “the date of enactment of this Act”.

(2) DEFINITION OF INSTITUTION OF HIGHER EDUCATION FOR PURPOSES OF TITLE IV PROGRAMS.—Section 102(e) of the Higher Education Opportunity Act (Public Law 110-315) is amended by striking the period at the end and inserting “, except that, with respect to foreign nursing schools that were eligible to participate in part B of title IV as of the day before the date of enactment of this Act, the amendments made by subsection (a)(1)(D) shall take effect on July 1, 2012.”.

(b) HIGHER EDUCATION ACT OF 1965.—Title I (20 U.S.C. 1001 et seq.) is amended—

(1) in section 102(a)(2)(D) (20 U.S.C. 1002(a)(2)(D)), by striking “under part B” and inserting “under part B of title IV”;

(2) in section 111(b) (20 U.S.C. 1011(b)), by striking “With” and inserting “with”;

(3) in section 131(a)(3)(A)(iii)(I) (20 U.S.C. 1015(a)(3)(A)(iii)(I)), by striking “section 428(a)(2)(C)(i)” and inserting “section 428(a)(2)(C)(ii)”;

(4) in section 136(d)(1) (20 U.S.C. 1015e(d)(1)), by striking “(Family Educational Rights and

Privacy Act of 1974)” and inserting “(commonly known as the ‘Family Educational Rights and Privacy Act of 1974’)”;

(5) in section 141 (20 U.S.C. 1018)—

(A) in the matter preceding subparagraph (A) of subsection (c)(3), by striking “under this title” and inserting “under title IV”; and

(B) in subsection (d)(3), by striking “appropriate committees of Congress” and inserting “authorizing committees”;

(6) in section 153(a)(1)(B)(iii)(V) (20 U.S.C. 1019b(a)(1)(B)(iii)(V)), by striking “borrowers who take out loans under” each place the term appears and inserting “borrowers of loans made under”; and

(7) in section 155(a) (20 U.S.C. 1019d(a)), by striking paragraph (4) and inserting the following:

“(4) include a place to provide information on—

“(A) the applicant’s cost of attendance at the institution of higher education, as determined by the institution under part F of title IV;

“(B) the applicant’s estimated financial assistance, including amounts of financial assistance used to replace the expected family contribution, as determined by the institution, in accordance with title IV, for students who have completed the Free Application for Federal Student Aid; and

“(C) the difference between the amounts under subparagraphs (A) and (B), as applicable; and”.

TITLE II—TEACHER QUALITY ENHANCEMENT

SEC. 201. TEACHER QUALITY ENHANCEMENT.

Title II (20 U.S.C. 1021 et seq.) is amended—

(1) in section 200(22) (20 U.S.C. 1021(22)), by striking subparagraph (D) and inserting the following:

“(D) prior to completion of the program—

“(i) attains full State certification or licensure and becomes highly qualified; and

“(ii) acquires a master’s degree not later than 18 months after beginning the program.”;

(2) in section 202 (20 U.S.C. 1022a)—

(A) in subsection (b)(6)(E)(ii), by striking “section 1111(b)(2)” and inserting “section 1111(b)(1)”;

(B) in subsection (c)(1), by striking “pre-baccalaureate”;

(C) in subsection (d)—

(i) in the heading, by striking “PRE-BACCALAUREATE” and inserting “THE”; and

(ii) in the matter preceding paragraph (1), by striking “An eligible partnership that receives a grant to carry out an effective program for the pre-baccalaureate preparation of teachers shall carry out a program that includes all of the following:” and inserting “An eligible partnership that receives a grant to carry out a program for the preparation of teachers shall carry out an effective pre-baccalaureate teacher preparation program or a 5th year initial licensing program that includes all of the following:”;

(D) in subsection (e)(2)—

(i) in subparagraph (A)(ii), by striking “to earn” and inserting “leading to”; and

(ii) in subparagraph (C)—

(I) in clause (i), by striking “one-year” before “teaching residency program”; and

(II) in clause (iii)(I), by striking “one-year”; and

(E) in subsection (i)(3), by striking “consent of” and inserting “consent to”; and

(3) in section 231(a)(1) (20 U.S.C. 1032(a)(1)), by striking “serve graduate” and inserting “assist in the graduation of”.

TITLE III—INSTITUTIONAL AID

SEC. 301. INSTITUTIONAL AID.

Title III (20 U.S.C. 1051 et seq.) is amended—